

Notice of Allowability

Application No.

10/691,138

Applicant(s)

PIROUZKHAH ET AL.

Examiner

Dolores R. Collins

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/15/06.
2. ☒ The allowed claim(s) is/are 2-4, 8, 42, 45 and 47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____



EUGENE KIM
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

Examiner acknowledges response by applicant's representative received 8/15/06.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Susan Melendez on 10/24/06.

The application has been amended as follows:

- In claim 4, lines 1-2, please remove **claim 1 or**
- In claim 8, lines 1-2, please remove **claim 1 or**
- In claim 42, line 3 after **set of**, please insert - - card - -
- In claim 42, line 3 after **indicators**; please insert - - wherein said special deck of card comprises 36 standard playing cards, said 36 cards being in groups as follows: 1 "two" of diamonds; 2 "threes" one heart, one spade; 3 "fours" one diamond, one club, one heart; 4 "fives" two hearts, one spade,

Art Unit: 3711

one club; 5 "sixes" one diamond, one spade, one club, two hearts; 6 "sevens" two hearts, two clubs, two spades, 5 "eights" one diamond, one club, one spade, two hearts; 4 "nines" one spade, one club, two hearts, 3 "tens" one diamond, one heart, one spade; 2 Aces, one heart, one spade; 1 Face Card of diamonds, each of said cards having an assigned point values as shown on said card with each "Ace" having a point value of eleven and each "Face Card" having a point value of twelve, each of said point values providing a point for said craps game; - -

- In claim 42, line 4 after **predetermined**, please insert - - card - -
- In claim 42, line 10 after **one**, please insert - - card - -
- In claim 45, lines 1-2, please remove **claim 41 or**
- In claim 47, line 1, please remove **claim 1,**
- In claim 47, line 2, please remove , **claim 41,**

Allowable Subject Matter

Claims 2-4, 8, 42, 45 & 47 allowed.

The following is an examiner's statement of reasons for allowance: Patentability has been found because the prior art fails to suggest or show the combination as set forth in the independent claims 2 & 42 including the specific apparatus for game play. This requirement is not seen or fairly suggested by the prior art of record.

The closest prior art of reference was White et al. (847). White discloses A Wagering Game Employing Dice.

White's teachings fail to anticipate or render obvious applicant's invention because it fails to disclose the necessary apparatus for game play.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Response to Arguments

Applicant's arguments with respect to claims 2-4, 8, 42, 45 & 47 have been considered but are moot since the claims are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and are cited to show the state of art with respect to features of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ***Dolores R. Collins*** whose telephone number is **(571) 272-4421**. The examiner can normally be reached on 8.00 A.M. - 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ***Eugene Kim*** can be reached on **(571) 272-4463**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Art Unit: 3711

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).



10/24/06



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